

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 2ND FEBRUARY 2007 / 13TH MAGHA 1928

Bail Appl..No. 588 of 2007()

CRIME NO.669/06 OF CHALAKKUDY POLICE STATION

.....

: PETITIONER/ACCUSED NO.4

BIJU MATHEW, SON OF MATHAI,
BIJU BHAVANAM, KULANADA DESOM,
KOZHENCHERY.

BY ADV. SRI.A.C.DEVY

RESPONDENTS: STATE & COMPLAINANT

THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 02/02/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

.....
B.A. No. 588 OF 2007
.....

Dated this the 2nd day of February, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the 4th accused in Crime No.669/2006 of Chalakudy Police Station for an offence punishable under Sec.395 I.P.C., seeks his enlargement on bail. The case of the prosecution is that the five accused persons including the petitioner had trespassed into the house of the de facto complainant at about 1.30 p.m. on 6.11.06 and had committed a theft of gold chain and cash worth Rs.2,300/- and the petitioner was arrested on the same day.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Chalakkudy and subject to the following conditions:

- a. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.
- b. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.
- c. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.
- d. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

aks